

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CORTEC CORPORATION, a Minnesota  
corporation,

07 Civ. 6094 (CM)

Plaintiff,

v.

**DECLARATION OF  
JOSIP ČIČEK**

ERSTE BANK DER OESTERREICHISCHEN  
SPARKASSEN AG, an Austrian corporation,

Defendant.

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JOSIP ČIČEK, pursuant to 28 U.S.C. § 1746, declares and states as  
follows:

1. I am head of the legal department of non-party Erste &  
Steiermärkische Bank d.d ("ESB"). I am familiar with the documents referenced herein  
and submit this Declaration in connection with the motion to dismiss by Defendant Erste  
Bank der oesterreichischen Sparkassen AG.

2. Attached as Exhibit A is a true and correct copy of the ESB Loan  
Application completed by EcoCortec d.o.o. ("EcoCortec"), which includes the HBOR  
Loan Application.

3. Attached as Exhibit B is a certified translation of the ESB Loan  
Application completed by EcoCortec, which includes the HBOR Loan Application.

4. Attached as Exhibit C is a true and correct copy of the Loan  
Agreement between ESB and EcoCortec dated April 6, 2006.



5. Attached as Exhibit D is a certified translation of the Loan Agreement between ESB and EcoCortec dated April 6, 2006.

6. Attached as Exhibit E is a true and correct copy of the Surety Agreement between Cortec Corporation ("Cortec") and Boris Miksic, acting as the surety, and ESB dated April 6, 2006.

7. Attached as Exhibit F is a certified translation of the Surety Agreement between Cortec and Boris Miksic, acting as the surety, and ESB dated April 6, 2006.

8. Attached as Exhibit G is a true and correct copy of the Security Agreement between the City of Beli Manastir, acting as the insurance debtor, EcoCortec, as the debtor and ESB dated April 5, 2006.

9. Attached as Exhibit H is a certified translation of the Security Agreement between the City of Beli Manastir, acting as the insurance debtor, EcoCortec, as the debtor and ESB dated April 5, 2006.

10. Attached as Exhibit I is a true and correct copy of the Termination Notice issued by ESB terminating the Loan Agreement dated March 8, 2007.

11. Attached as Exhibit J is a certified translation of the Termination Notice issued by ESB terminating the Loan Agreement dated March 8, 2007.

12. Attached as Exhibit K is a true and correct copy of Erste Bank der oesterreichischen Sparkassen AG's 2005 Annual Report.

A handwritten signature in black ink, consisting of a stylized 'M' or similar character.

13. Attached as Exhibit L is a true and correct copy of the decision issued by the Commercial Court in Rijeka denying EcoCortec's motion for a temporary injunction in EcoCortec v. Erste & Steiermarkische Bank, Docket No. X-P-406/2007-12 (Commercial Court in Rijeka), dated June 27, 2007.

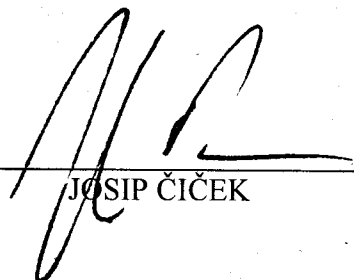
14. Attached as Exhibit M is a certified translation of the decision issued by the Commercial Court in Rijeka denying EcoCortec's motion for a temporary injunction in EcoCortec v. Erste & Steiermarkische Bank, Docket No. X-P-406/2007-12 (Commercial Court in Rijeka), dated June 27, 2007.

15. Attached as Exhibit N is a true and correct copy of Article 70 of the Croatian Civil Code.

16. Attached as Exhibit O is a certified translation of Article 70 of the Croatian Civil Code.

17. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August, 31, 2007. City of Zagreb, Republic of Croatia.

  
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JOSIP ČIČEK